

Procedures: How to file your “Agreement to Modify Legal Decision-Making, Parenting Time and Child Support

STEP 1 COPY: Make three (3) copies* of the following documents:

- “Agreement (Stipulation) to Modify the Legal Decision-Making, Parenting Time and Child Support” (“Stipulation to Modify”)
- “Order Modifying Legal Decision-Making, Parenting Time and Child Support”
- “Parenting Plan”
- “Child Support Worksheet”
- “Current Employer Information Sheet” (“CEI”) (for the parent currently paying)
- “Order Stopping Income Withholding Order” (if applicable) and
- “Current Employer Information Sheet”. (If this agreement changes who pays the child support, include a second CEI for the parent who will now pay.)

STEP 2 Separate documents into four (4) sets: 1 set of originals and 3 sets of copies.*

<p>Set 1: ORIGINALS to file with Clerk of Superior Court</p> <ul style="list-style-type: none"> • “Stipulation to Modify” • “Order Modifying Legal Decision-Making, Parenting Time and Child Support” • “Parenting Plan” • “Child Support Worksheet” • “Current Employer Information Sheet” • “Order Stopping Income Withholding Order” • “Current Employer Information Sheet” (if applicable) ** 	<p>Set 2: COPIES for the Judge</p> <ul style="list-style-type: none"> • “Stipulation to Modify” • “Order Modifying Legal Decision-Making, Parenting Time and Child Support” • “Parenting Plan” • “Child Support Worksheet” • “Current Employer Information Sheet” • “Order Stopping Income Withholding Order” • “Current Employer Information Sheet” (if applicable) ** <p style="text-align: center;">You must also provide 2 (two) 9" x 12" business envelopes, one stamped and addressed to each party</p>
<p>Set 3: COPIES for You</p> <ul style="list-style-type: none"> • Clerk-stamped copy of “Stipulation to Modify Court Order Regarding Legal Decision-Making, Parenting time and Support • “Order Modifying Legal Decision-Making, Parenting Time and Child Support” • “Parenting Plan” • “Child Support Worksheet” • “Current Employer Information Sheet” • “Order Stopping Income Withholding Order” • “Current Employer Information Sheet”* (if applicable) ** 	<p>Set 4: COPIES for the Other Party</p> <ul style="list-style-type: none"> • Clerk-stamped copy of “Stipulation to Modify Court Order Regarding Legal Decision-Making, Parenting time and Support • “Order Modifying Legal Decision-Making, Parenting Time and Child Support” • “Parenting Plan” • “Child Support Worksheet” • “Current Employer Information Sheet” • “Order Stopping Income Withholding Order” • “Current Employer Information Sheet” (if applicable) **
<p>* SET 5: If one of the parties is using the child support services of the Division of Child Enforcement (DCSE), add <i>one additional copy</i> of the proposed Order and attachments and a stamped envelope addressed to the Attorney General (see Step 3, below for address).</p>	

** If this agreement changes who pays child support, include a second CEI for parent who will NOW pay.

STEP 3 Go to the Clerk of Superior Court with all the documents properly assembled.

FEES: A list of current fees is available from the Law Library Resource Center and from the Clerk of Superior Court's website.

If you cannot afford the filing fee, you may request a deferral (payment plan) when you file your papers with the Clerk of Superior Court. Deferral Applications are available at no charge from the Law Library Resource Center.

- File the original *"Agreement (Stipulation) to Modify the Legal Decision-Making, Parenting Time and Child Support"* with the Clerk of Superior Court.
- Have the Clerk stamp your 3 copies of the stipulation and return the copies to you.

NOTE: If the Division of Child Support Enforcement (DCSE) is involved in your case, you must mail a copy of all of the signed and filed documents to:

Office of the Attorney General – Child Support Services Section,
2005 N. Central Avenue – Mail Drop 7611,
Phoenix, AZ 85004-2926.

STEP 4 Take the documents to the Judge to review and sign:

- Find out which judge is assigned to your case. If you are not sure, look at the court case number in the upper right-hand corner and call Family Administration at 602-506-1561 to ask who your judge is.
- Hand-deliver the documents as indicated below (depending on the location of the court facility at which you choose to file):

Central Court Building
201 West Jefferson, 3rd floor
Phoenix, Arizona 85003
(Deliver to Family Administration)

Southeast Court Complex
222 East Javelina Avenue, 1st floor
Mesa, Arizona 85210
(Deliver to Family Administration)

Northwest Court Complex
14264 West Tierra Buena Lane
Surprise, Arizona 85374
(Deliver to Judge's box)

Northeast Court Complex
18380 North 40th Street
Phoenix, Arizona 85032
(Deliver to Judge's box)

STEP 5 Wait for the Judge to review and decide whether to sign the Order:

- A. If the judge agrees with you, he or she will sign the *"Order Modifying Legal Decision-Making, Parenting Time and Child Support,"* and if applicable the *"Income Withholding Order,"* and *"Order Stopping Income Withholding Order."*
- B. The judge might not agree, or might want both parents to come to court for a hearing. If so, you will receive an Order from the Judge in the mail.
- C. If you do not hear from the Judge in about 3 weeks, you can call the Judge's office to ask the staff about the status of your paperwork. Staff cannot tell you what the judge has decided. You cannot speak to the judge.